

IN THE UNITED STATES DISTRICT COURT  
FOR THE  
EASTERN DISTRICT OF WASHINGTON

JAMES BRAUHN,

Plaintiff,

vs.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant

Civil No. 08-CV-0020-JPH

ORDER FOR REMAND

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be reversed and remanded for a *de novo* hearing and further administrative proceedings, including but not limited to the following: the administrative law judge will update the record with existing evidence from the treating sources to clarify the severity of Plaintiff's mental impairments and alcohol abuse, if any, to include medical source statements; re-evaluate the medical source opinions of record pursuant to SSRs 96-2p, 96-5p, and 96-6p; re-evaluate the severity of Plaintiff's mental impairments pursuant to 20 C.F.R. §§ 404.1520a, 416.920a; obtain testimony from a medical expert specializing in psychiatry, to

1 clarify the severity of Plaintiff's alcohol abuse and its impact, if any, on his RFC  
2 and whether Plaintiff's impairments meet or equal a listed impairment; if  
3 warranted, re-evaluate the issue of materiality of Plaintiff's alcohol abuse pursuant  
4 to 20 C.F.R. §§ 404.1435, 416.935; and, if warranted, obtain supplemental  
5 evidence from a vocational expert at step five of the sequential evaluation process.

6 This remand is pursuant to sentence four of 42 U.S.C. § 405(g). Upon  
7 proper presentation, this Court will consider Plaintiff's application for costs and  
8 attorney's fees under 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

9 DATED this 29th day of July, 2008.

10  
11 s/ James P. Hutton

12 JAMES P. HUTTON  
13 UNITED STATES MAGISTRATE JUDGE

14 Presented by:

15 s/ THOMAS M. ELSBERRY WSB # 26456  
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